SINGLE BENCH (3)

(6)

CF 1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P.(S) NO. 4386 **/2006**

PETITIONER : Awadhesh Kumar Gupta Aged 49 years, S/o. Late Shri R.S. Gupta, R/o. Village Batauli, Sitapur, District Surguja (C.G.)

VERSUS

RESPONDENTS :

1] State of Chhattisgarh, Through: Secretary, Tribal Welfare Deptt., Raipur, Distt. Raipur (C.G.)

2] Commissioner, Tribal Welfare Department, Raipur, Distt. , Raipur (CG)

3] Chief Executive Officer, Distt. Panchayat Surguja, Ambikapur, Distt. Surguja (C.G.)

4] Block Education Officer, Batauli, Block Batauli, Tahsil Sitapur, Distt. Surguja (C.G.)

5] Asst. Commissioner, Tribal Welfare Department, District Surguja (C.G.)

6] Parasnath Singh Head Master, School Sarmana, Block Batauli, Tahsil Sitapur, District Surguja (C.G.)

7] Collector, Surguja, District Surguja (Chhattisgarh)

R.R. No. 4435/06
Presented by Shri Manoj Pandey
dated 14/8/2006

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4386 **सन्** 2006

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	18-8-2006 Mr. Manoj Paranjpe, counsel for the petitioner. Mr. G.K. Beriwal, Deputy Advocate General for the State/ respondents No.1, 2, 4, 5 & 7, on advance copy. Heard both the counsel. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has challenged his transfer order dated 7-7-2006 (Annexure P-16) passed by respondent No.7, whereby the petitioner has been transferred from Middle School, Belkota, Batouli, to Middle School, Maharajganj. The case of the petitioner is that he is working as Head Master in Middle School, Belkota, Batouli and by the impugned order he has been transferred to Middle School, Maharajganj, on administrative exigency whereas no such exigency exists. Learned counsel for the petitioner submits that the petitioner has been transferred on mala fide intention and on the complaint of a political leader. Learned counsel also submits that the petitioner has been subjected to frequent transfers. Therefore, he further submits that the petitioner may be allowed to make a detailed representation raising his grievances to respondent No.1 and respondent No.1 be directed to decide the representation to which, learned counsel appearing for the State/ respondents No.1, 2, 4, 5 & 7 has no objection.	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक W.P.4386/... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merits of the case, the prayer made by learned counsel for the petitioner appears to be just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation to respondent No.1 raising all his grievances, annexing a copy of the instant writ petition and its annexures within a period of ten days from today and in turn, respondent No.1 is directed to decide the same within a period of one month from the date of its receipt, considering all the grievances raised by the petitioner in an objective manner, in accordance with law. With the aforesaid direction, the writ petition stands disposed of. Consequently, M.(W.)P.No.3403/2006 and I.A.No.7960/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Soma

P.T.O.

12-8-06